IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.292 OF 2005

Mayakuvar Jayantilal Vora Petitioner

versus

Union Bank of India & others Respondents

Mr.Shekhar Shetye i/by Gajaria & Co; adv. for petitioner.

Mr.Shyam Diwan with Ms.N.I.Bakali, adv. for respondent no.1.

CORAM : H.L.GOKHALE AND
S.C.DHARMADHIKARI, JJ.

DATE : 8th February 2005

PC :

1. Heard Mr.Shetye in support of this petition. Mr.Diwan appears for respondent no.1. The petition seeks to challenge the order passed by the Chairperson of the Debts Recovery Appellate Tribunal passed on 19th January 2005. On that date certain urgent orders were sought. Learned Judge has recorded that the impugned order was passed way back on 25th June 2002. She has also recorded that the appellant was represented by advocate. Thereafter it was also mentioned that attachment notice was also fixed and therefore

for all these reasons she has declined to take the matter on urgent basis. That order was passed on 19th January 2005. Mr.Shetye submits that advocate mentioned in the order was not the advocate for the appellant. If that is so, it is for him to move to that very Court and this Court cannot sit in appeal. Petition is rejected.

2. It will be open to the petitioner to move the appropriate authorities, if in law he can move them, for appropriate reliefs.

(H.L.GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)